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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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|----|----------------------|---|---------------------------------------|
| 10 | |) | Case No. 2:21-cv-01747 JAM JDP |
| 11 | PHILLIPS 66 COMPANY, |) | |
| 12 | Plaintiff, |) | JOINT STIPULATION REGARDING |
| 13 | vs. |) | PLAINTIFF PHILLIP 66 COMPANY'S |
| 14 | ALEX R. BANANZADEH, |) | APPLICATION FOR TEMPORARY |
| 15 | Defendant. |) | RESTRAINING ORDER |
| 16 | |) | |
| 17 | |) | |
| 18 | _____ |) | |

1 Plaintiff Phillips 66 Company (“Plaintiff”) and Defendant Alex R. Bananzadeh
2 (“Defendant”) submit this Joint Stipulation Regarding Plaintiff’s Application for Temporary
3 Restraining Order, and state as follows:

4 WHEREAS, Plaintiff filed a complaint for seeking declaratory relief (Dkt. No. 1) on
5 September 24, 2021;

6 WHEREAS, Plaintiff also filed an ex parte application for temporary restraining order,
7 seeking to maintain the status quo and enjoin Defendant from transferring his interest in the
8 Property located at 817 Leisure Town Rd., Vacaville, California 95687 (the “Property”) pending
9 resolution on this litigation (Dkt. No. 5) on September 24, and served Defendant with the
10 Complaint and ex parte application the same day;

11 WHEREAS, the parties have since met and conferred regarding the temporary restraining
12 order;

13 WHEREAS, Defendant has agreed not to transfer any interest in the Property to any
14 third-party pending the Court’s consideration of a noticed motion for preliminary injunction;

15 WHEREAS, Defendant’s agreement obviates an emergency ex parte application;

16 IT IS HEREBY JOINTLY STIPULATED AND AGREED by and between the Parties
17 through their respective counsel of record as follows:

18 1. Plaintiff withdraws its *Ex Parte* Application for Temporary Restraining Order (Dkt. No.
19 5), and requests that the Court treat the application as a motion for preliminary
20 injunction;

21 2. The Parties respectfully request that the Court set a hearing on Plaintiff’s Motion for
22 Preliminary Injunction on November 2, 2021, or as soon thereafter as may be convenient
23 to the Court; and

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3. Defendant Alex R. Bananzadeh shall not transfer any interest in the Property to Chevron Corporation, or any other third party, pending the Court's ruling on Plaintiff's Motion for Preliminary Injunction.

IT IS SO STIPULATED

Dated: September 28, 2021

GLYNN, FINLEY, MORTL,
HANLON & FRIEDENBERG LLP

By /s/ Adam Friedenber
ADAM FRIEDENBERG
EISHA PERRY
Attorneys for Plaintiff
Phillips 66 Company

Dated: September 28, 2021

BERNHEIM LAW OFFICE

By /s/ William S. Bernheim
WILLIAM S. BERNHEIM
Attorneys for Defendant
Alex R. Bananzadeh

ORDER

Based on the Stipulation of the Parties and good cause having been shown, **IT IS HEREBY ORDERED** that Plaintiff's Application for Temporary Restraining Order (Dkt. No. 5) is withdrawn and Defendant Alex R. Bananzadeh is prohibited from transferring his interest in the Property located at 817 Leisure Town Rd., Vacaville, California 95687 to Chevron Corporation or any other third-party pending this Court's resolution of the motion for preliminary injunction.

Hearing on Plaintiff's Motion for Preliminary Injunction is set for November 2, 2021, at 1:30 p.m. Opposition and reply papers shall be due pursuant to the Local Rules.

IT IS SO ORDERED.

Dated: September 28, 2021

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE